IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 18th day of September, 2006
First Bail Application No. 840 of 2006

Criminal Side

Naseem S/o Jameel
R/o Telliwala
P.S. Jawalapur
District- Haridwar **.....Applicant**

Versus

State of Uttaranchal

.....Opposite Party

Arising out of Crime No. 240 of 2006
Under Section: 498 A, 323 I.P.C. and ¾ of Dowry Prohibition Act
P. S.: Manglore
District: Haridwar.

Hon'ble Prafulla C. Pant, J.

Heard Shri Sanjeev Singh, learned counsel for the applicant and learned A.G.A. for the State.

Applicant-Naseem, who is in jail in connection with crime No. 240 of 2006, under Section 498 A, 323 I.P.C. and 3/4 of Dowry Prohibition Act. P.S. Manglore, District Haridwar, has sought his release on bail.

It is argued that the application had already divorced his wife before the First Information Report was lodged and the alleged incident took place on 07.07.2006. Learned counsel for the complainant argued that there is injury report corroborating the injuries on the person of the complainant. But those injuries only constitute an offence, punishable under Section 323 I.P.C.

In the facts and circumstances of the case, without expressing any opinion as to the final merits of the case, the

applicant deserves bail. Let the applicant be released on bail on executing personal bond and furnishing two sureties, each of the like amount to the satisfaction of the magistrate concerned.

(Prafulla, C. Pant, J.)

Dt. 18.09.2006
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